

UNITED STATES BANKRUPTCY COURT**New Jersey**IN RE: **Ralph Mason**
Undine Ianthie MasonCase No.: **15-13452**

Judge: _____

Debtor(s)

CHAPTER 13 PLAN AND MOTIONS☐ Original☒ First Modified/Notice RequiredDate: 11/29/2017☐ Motions Included☐ Modified/No Notice RequiredTHE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.**YOUR RIGHTS WILL BE AFFECTED.**

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. Your rights may be affected by this plan. Your claim may be reduced, modified, or eliminated. This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice. The Court may confirm this plan, if there are no timely filed objections, without further notice. See Bankruptcy Rule 3015. If this plan includes motions to avoid or modify a lien, the lien avoidance or modification may take place solely within the chapter 13 confirmation process. The plan confirmation order alone will avoid or modify the lien. The debtor need not file a separate motion or adversary proceeding to avoid or modify a lien based on value of the collateral or to reduce the interest rate. An affected lien creditor who wishes to contest said treatment must file a timely objection and appear at the confirmation hearing to prosecute same.

THIS PLAN:

☐ DOES ☒ DOES NOT CONTAIN NON-STANDARD PROVISIONS. NON-STANDARD PROVISIONS MUST ALSO BE SET FORTH IN PART 10.☐ DOES ☒ DOES NOT LIMIT THE AMOUNT OF A SECURED CLAIM BASED SOLELY ON VALUE OF COLLATERAL, WHICH MAY RESULT IN A PARTIAL PAYMENT OR NO PAYMENT AT ALL TO THE SECURED CREDITOR. SEE MOTIONS SET FORTH IN PART 7, IF ANY.☐ DOES ☒ DOES NOT AVOID A JUDICIAL LIEN OR NONPOSSESSORY, NONPURCHASE-MONEY SECURITY INTEREST. SEE MOTIONS SET FORTH IN PART 7, IF ANY.Initial Debtor(s)' Attorney MGInitial Debtor: R MInitial Co-Debtor UIM**Part 1: Payment and Length of Plan**

a. The debtor has paid in to date \$17,145.00 to the Chapter 13 Trustee, starting on December 1, 2017 debtor is to pay \$ **525** for approximately **3** months and then starting March 1, 2018 debtors are to pay **\$1,032.00** for **24** months..

b. The debtor shall make plan payments to the Trustee from the following sources:

- ☒ Future Earnings
☐ Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

- ☐ Sale of real property
Description:
Proposed date for completion: _____

- ☐ Refinance of real property:
Description:
Proposed date for completion: _____

- ☐ Loan modification with respect to mortgage encumbering property:
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

Part 2: Adequate Protection

☒ NONE

a. Adequate protection payments will be made in the amount of \$_____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to _____ (creditor).

b. Adequate protection payments will be made in the amount of \$_____ to be paid directly by the debtor(s) outside the Plan, pre-confirmation to: _____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

a. All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
Trustee	administrative expenses	est. \$3,900.00
Goldman & Beslow, LLC	attorney fees	est. \$2,0000
Internal Revenue Service	Taxes and certain other debts	\$4,100

b. Domestic Support Obligations assigned or owed to a governmental unit and paid less than full amount:

Check one:

- ☒ None
☐ The allowed priority claims listed below are based on a domestic support obligation that has been assigned to or is owed to a governmental unit and will be paid less than the full amount of the claim pursuant to 11 U.S.C.1322(a)(4):

Creditor	Type of Priority	Claim Amount	Amount to be Paid
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Part 4: Secured Claims

a. Curing Default and Maintaining Payments on Principal Residence: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
City of East Orange	real estate taxes	\$7,400	0%	\$7,400.00	regular quarterly payments
Champion Mortgage	advances made	\$22,122.00	0%	\$23,122.00	none
Santander	auto loan	\$232.00		\$232.00	payments being paid by 3rd party
WFS Financial	auto loan	\$552.11		\$552.11	debtors to continue making post-petition payments

b. Curing and Maintaining Payments on Non-Principal Residence & other loans or rent arrears: ☒ NONE

The Debtor will pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the debtor will pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
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c. Secured claims excluded from 11 U.S.C. 506: ☒ NONE

The following claims were either incurred within 910 days before the petition date and are secured by a purchase money security interest in a motor vehicle acquired for the personal use of the debtor(s), or incurred within one year of the petition date and secured by a purchase money security interest in any other thing of value:

Name of Creditor	Collateral	Interest Rate	Amount of Claim	Total to be Paid through the Plan Including Interest Calculation
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d. Requests for valuation of security, Cram-down, Strip Off & Interest Rate Adjustments ☐ NONE

1.) The debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

e. Surrender ☐ NONE

Upon confirmation, the stay is terminated as to surrendered collateral only under 11 U.S.C. 362(a) and that the stay under 11 U.S.C 1301 be terminated in all respects. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
Santander Consumer	2010 Dodge Avenger	\$7,475	surrender in full satisfaction of the debt

f. Secured Claims Unaffected by the Plan ☐ NONE

The following secured claims are unaffected by the Plan:

Creditor

Wfs Financial/Wachovia Dealer Srvs

g. Secured Claims to be Paid in Full Through the Plan ☐ NONE

Creditor	Collateral	Total Amount to be Paid through the Plan

Part 5: Unsecured Claims ☐ NONE

a. **Not separately classified** allowed non-priority unsecured claims shall be paid:

- ☐ Not less than \$___ to be distributed *pro rata*
- ☐ Not less than ___ percent
- ☒ *Pro Rata* distribution from any remaining funds

b. **Separately Classified Unsecured** claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
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Part 6: Executory Contracts and Unexpired Leases ☒ NONE

(NOTE: See time limitations set forth in 11 U.S.C. 365(d)(4) that may prevent assumption of non-residential real property leases in this Plan.)

All executory contracts and unexpired leases, not previously rejected by operation of law, are rejected, except the following, which are assumed:

Creditor	Arrears to be Cured in Plan	Nature of Contract or Lease	Treatment by Debtor	Post-Petition Payment
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Part 7: Motions ☐ **NONE**

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, *Notice of Chapter 13 Plan Transmittal*, within the time and in the manner set forth in D.N.J. LBR 3015-1. A *Certification of Service, Notice of Chapter 13 Plan Transmittal and valuation* must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f). ☒ **NONE**

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
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b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor's Interest in Collateral	Total Amount of Lien to be Reclassified

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured. ☐ **NONE**

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

☒ Upon Confirmation

☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Standing Trustee shall pay allowed claims in the following order:

- 1) Ch. 13 Standing Trustee Commissions
- 2) **Other Administrative Claims including attorney's fees & costs**
- 3) **Secured Claims**
- 4) **Lease Arrearages**
- 5) **Priority Claims**
- 6) **General Unsecured Claims**

d. Post-Petition Claims

The Standing Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9: Modification ☒ **NONE**

If this Plan modifies a Plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below **why** the plan is being modified:

Stay has been vacated as to the 2010 Dodge Avenger

Explain below **how** the plan is being modified:

To surrender the vehicle; debtors are still paying on the vehicle and payments are being accepted

Are Schedules I and J being filed simultaneously with this Modified Plan?

☐ Yes

☒ No

Part 10 : Non-Standard Provision(s): Signatures Required

Non-Standard Provisions Requiring Separate Signatures

☒ NONE

☐ Explain here:

Any non-standard provisions placed elsewhere in this plan are void.

The Debtor(s) and the attorney for the Debtor(s), if any, must sign this Certification.

I certify under penalty of perjury that the plan contains no non-standard provisions other than those set forth in this final paragraph.

Date November 29, 2017

/s/Mark Goldman

Mark Goldman, Esq. 8019

Attorney for the Debtor

Date: November 29, 2017

/s/Ralph Mason

Ralph Mason

Debtor

Date: November 29, 2017

/s/Undine Mason

Undine Ianthie Mason

Joint Debtor

Signatures

The Debtor(s) and the attorney for the Debtor(s) if any, must sign this Plan.

Date November 29, 2017 /s/Mark Goldman
Mark Goldman, Esq. 8019
Attorney for the Debtor

I certify under penalty of perjury that the above is true.

Date: November 29, 2017 /s/Ralph Mason
Ralph Mason
Debtor

Date: November 29, 2017 /s/Undine Mason
Undine Ianthie Mason
Joint Debtor

Certificate of Notice Page 8 of 9
 United States Bankruptcy Court
 District of New Jersey

In re:
 Ralph Mason
 Undine Ianthie Mason
 Debtors

Case No. 15-13452-SLM
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf901

Page 1 of 2
 Total Noticed: 49

Date Rcvd: Dec 07, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Dec 09, 2017.

db/jdb
 aty +Ralph Mason, Undine Ianthie Mason, 76 Leslie Street, East Orange, NJ 07017-5409
 +Evans C. Agrapidis, Leanza & Agrapidis, 3232 Kennedy Boulevard,
 Jersey City, NJ 07306-3419
 cr +BANK OF AMERICA, Kivitz McKeever Lee PC, BNY Mellon Independence Center,
 701 Market St, Ste 5000, Philadelphia, PA 19106-1541
 cr +BANK OF AMERICA, N.A., Robertson, nschutz & Schneid, PL, Bankruptcy Dept,
 6409 CONGRESS AVE., SUITE 100, BOCA RATON,, FL 33487-2853
 cr +Bank of America, N.A., Robertson Anschutz & Schneid, P.L., 6409 Congress Ave., Suite 100,
 Boca Raton,, FL 33487, UNITED STATES 33487-2853
 cr +Santander Consumer USA, Inc., P.O. Box 562088, Suite 900-North, Dallas, TX 75247,
 UNITED STATES 75356-2088
 515352783 +AXA Equitable, FBO: Ralph Mason A/C 301610784, 500 Plaza Dr. 6th Floor,
 ATTN: Resolution Team, Secaucus, NJ 07094-3619
 515352782 +Ashro, 1515 S 21st St, Clinton, IA 52732-6676
 515440138 +Ashro Lifestyle, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
 516521904 +Bank Of America, N.A., Robertson, Anschutz & Schneid, P.L., 6409 Congress Avenue, Suite 100,
 Boca Raton, FL 33487-2853
 516521913 +Bank Of America, N.A., Reverse Mortgage Solutions, 14405 Walters Road, Ste 200,
 Houston, TX 77014-1345
 515352786 +CAPITAL ONE, PO BOX 30285, SALT LAKE CITY UT 84130-0285
 (address filed with court: Capital 1 Bank, Po Box 85520, Richmond, VA 23285)
 515352784 +Cap One, 26525 N Riverwoods Blvd, Mettawa, IL 60045-3440
 515352785 +Capital 1 Bank, Attn: General Correspondence, Po Box 30285,
 Salt Lake City, UT 84130-0285
 515352787 +Champion Mortgage, P.O. Box 91322, Seattle, WA 98111-9422
 515352788 +Chase, Po Box 19120, Houston, TX 77224-9120
 515352789 +Chase Card, Po Box 15298, Wilmington, DE 19850-5298
 515352790 +Chase Mort, Po Box 24696, Columbus, OH 43224-0696
 515352791 +Chase Mtg, Po Box 24696, Columbus, OH 43224-0696
 515352793 +Citibank/The Home Depot, Po Box 6497, Sioux Falls, SD 57117-6497
 515352792 +Citibank/The Home Depot, Citicorp Credit Svcs/Centralized Bankrup, Po Box 790040,
 Saint Louis, MO 63179-0040
 515352794 +City of East Orange, Tax Collector, 44 City Hall Plaza, East Orange, NJ 07018-4502
 515352797 +Dsnb Macys, 9111 Duke Blvd, Mason, OH 45040-8999
 515352799 +Financial Recoveries, 200 E Park Dr Ste 100, Mount Laurel, NJ 08054-1297
 515352798 +Financial Recoveries, Po Box 1388, Mount Laurel, NJ 08054-7388
 515428592 +Ginny's, c/o Creditors Bankruptcy Service, P O Box 800849, Dallas, TX 75380-0849
 515440298 +Mason, c/o Creditors Bankruptcy Service, P.O. Box 800849, Dallas, TX 75380-0849
 517164979 +Reverse Mortgage Solutions, Inc., 14405 Walters Road, Suite 200, Houston, TX 77014-1345
 517164980 +Reverse Mortgage Solutions, Inc., 14405 Walters Road, Suite 200, Houston, TX 77014,
 Reverse Mortgage Solutions, Inc., 14405 Walters Road, Suite 200, Houston, TX 77014-1345
 515352804 +Santander Bank Na, 865 Brook St, Rocky Hill, CT 06067-3444
 515371860 +Santander Consumer USA Inc., P.O. Box 560284, Dallas, TX 75356-0284
 515352805 +Santander Consumer Usa, Po Box 961245, Ft Worth, TX 76161-0244
 515409791 Wells Fargo Bank, N.A., P.O. Box 19657, Irvine, CA 92623-9657
 515352808 +Wfs Financial/Wachovia Dealer Svcs, Po Box 1697, Winterville, NC 28590-1697
 515352807 +Wfs Financial/Wachovia Dealer Svcs, Po Box 3569, Rancho Cucamonga, CA 91729-3569

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Dec 07 2017 21:26:23 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Dec 07 2017 21:26:22 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

515549670 E-mail/PDF: resurgentbknofications@resurgent.com Dec 07 2017 21:25:10
 Ashley Funding Services, LLC its successors and, assigns as assignee of Laboratory,
 Corporation of America Holdings, Resurgent Capital Services, PO Box 10587,
 Greenville, SC 29603-0587

515404451 +E-mail/Text: bankruptcy@cavps.com Dec 07 2017 21:26:27 Cavalry SPV I, LLC,
 500 Summit Lake Drive, Ste 400, Valhalla, NY 10595-1340

515352795 +E-mail/PDF: creditonebknofications@resurgent.com Dec 07 2017 21:25:20 Credit One Bank,
 Po Box 98873, Las Vegas, NV 89193-8873

515352796 +E-mail/PDF: creditonebknofications@resurgent.com Dec 07 2017 21:25:19 Credit One Bank,
 Po Box 98875, Las Vegas, NV 89193-8875

515352800 +E-mail/PDF: gecsed@recoverycorp.com Dec 07 2017 21:25:25 GECRB/6th Ave Elec,
 Attention: Bankruptcy, Po Box 103104, Roswell, GA 30076-9104

515352801 +E-mail/PDF: gecsed@recoverycorp.com Dec 07 2017 21:25:17 GECRB/6th Ave Elec,
 C/o Po Box 965036, Orlando, FL 32896-0001

515496512 +E-mail/Text: cio.bncmail@irs.gov Dec 07 2017 21:26:16 Internal Revenue Service,
 P.O. Box 7346, Philadelphia, PA 19101-7346

515352802 +E-mail/Text: bankruptcydpt@mcmcg.com Dec 07 2017 21:26:22 Midland Funding, 8875 Aero Dr,
 San Diego, CA 92123-2255

District/off: 0312-2

User: admin
Form ID: pdf901

Page 2 of 2
Total Noticed: 49

Date Rcvd: Dec 07, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

515607146	E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Dec 07 2017 21:41:51	
	Portfolio Recovery Associates, LLC, c/o Thd, POB 41067, Norfolk VA 23541	
515352806	+E-mail/Text: bankruptcy@senexco.com Dec 07 2017 21:26:10	Senex Services Corp,
	333 Founders Rd, Indianapolis, IN 46268	
515426219	+E-mail/Text: bankruptcy@senexco.com Dec 07 2017 21:26:10	Senex Services Corp,
	3333 Founders Rd, 2nd Floor, Indianapolis, IN 46268	
515352803	+E-mail/Text: bankruptcy@savit.com Dec 07 2017 21:26:32	Sa-vit Enterprises, 46 W Ferris St,
	East Brunswick, NJ 08816-2159	

TOTAL: 14

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '++' were redirected to the recipient's preferred mailing address pursuant to 11 U.S.C. 342(f)/Fed.R.Bank.PR.2002(g)(4).

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Dec 09, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on December 6, 2017 at the address(es) listed below:

Denise E. Carlon	on behalf of Creditor	Bank of America, N.A. dcarlon@kmlawgroup.com,
bkggroup@kmlawgroup.com		
John R. Morton, Jr.	on behalf of Creditor	Santander Consumer USA, Inc.
ecfmail@mortoncraig.com,		mortoncraigecf@gmail.com
Joshua I. Goldman	on behalf of Creditor	Champion Mortgage Company jgoldman@kmlawgroup.com,
bkggroup@kmlawgroup.com		
Joshua I. Goldman	on behalf of Creditor	Bank of America, N.A. jgoldman@kmlawgroup.com,
bkggroup@kmlawgroup.com		
Justin Plean	on behalf of Creditor	Bank of America, N.A. bkyecf@rasflaw.com,
bkyecf@rasflaw.com; ras@ecf.courtdrive.com		
Laura M. Egerman	on behalf of Creditor	Bank of America, N.A. bkyecf@rasflaw.com,
bkyecf@rasflaw.com; legerman@rasnj.com		
Marie-Ann Greenberg		magecf@magtrustee.com
Mark Goldman	on behalf of Joint Debtor Undine Ianthie Mason	yrodriguez@goldmanlaw.org,
yrodriguez.knight29@gmail.com; ecf-control@goldman-beslow.com; r64764@notify.bestcase.com		
Mark Goldman	on behalf of Debtor Ralph Mason	yrodriguez@goldmanlaw.org,
yrodriguez.knight29@gmail.com; ecf-control@goldman-beslow.com; r64764@notify.bestcase.com		

TOTAL: 9